

**PROCEEDINGS OF THE CITY COUNCIL
OF THE CITY OF NATCHITOCHES, STATE OF LOUISIANA,
REGULAR MEETING HELD ON
MONDAY, JULY 25, 2016 AT 5:30 P.M.**

The City Council of the City of Natchitoches met in legal and regular session at the Natchitoches Arts Center, 716 Second Street, Natchitoches, Louisiana on Monday, July 25, 2016 at 5:30 p.m.

There were present:

Mayor Lee Posey
Councilman At Large Don Mims, Jr.
Councilman Eddie Harrington
Councilman Dale Nielsen
Councilwoman Sylvia Morrow
Councilman Lawrence Batiste

Guests: None

Absent: None

Mayor Lee Posey called the meeting to order and welcomed everyone for coming. Michael Braxton was asked to lead the invocation and Councilman at Large Don Mims was asked to lead the pledge of allegiance.

Mayor Posey then called for the reading and approval of the minutes for the July 11, 2016 meeting. Mr. Mims moved that we dispense with the reading of the minutes and approval of same. Seconded by Ms. Morrow the roll call vote was as follows:

Ayes:	Batiste, Nielsen, Mims, Harrington, Morrow
Nays:	None
Absent:	None
Abstain:	None

Mayor Posey asked everyone to please keep Mr. George Sluppick in your prayers. His health has really declined in the last few days and he is at the Natchitoches Regional Medical Center. He stated everyone loves George and he has always been a big part of this community. Our thoughts and prayers are with George.

The following Ordinance was Introduced by Mr. Harrington and Seconded by Mr. Nielsen as follows, to-wit:

ORDINANCE NO. 034 OF 2016

AN ORDINANCE AMENDING ORDINANCE NO. 64 OF 2001 BY CHANGING ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS FOLLOWS:

To rezone the following: Lot Cont. 0.705 AC. On The East Side Of Hwy. #1, Bounded North By Harlan-Harris Autoplex, L.L.C., South By Royal Lodging Of Natchitoches, As Shown On Map Slide 673-B.

(The Wing Grub Restaurant - 5811 Hwy. 1 Bypass)

WHEREAS, the Planning Commission of the City of Natchitoches, State of Louisiana, has recommended at their meeting of July 5, 2016 that the application of **Jonathan Thompson** to rezone the property described above from B-3 Commercial to an additional B-A zoning to sell beverages of low alcoholic content for consumption on premise (5811 Hwy. 1 Bypass), be **APPROVED**.

THIS ORDINANCE was introduced on July 11, 2016 and published in the *Natchitoches Times* on July 14, 2016.

The above Ordinance having been duly advertised in accordance with law and public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to 0 Nays this 25th day of July, 2016.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 26th day of July, 2016 at 10:00 A.M.

The following Ordinance was Introduced by Mr. Mims and Seconded by Ms. Morrow as follows, to-wit:

ORDINANCE NO. 032 OF 2016

AN ORDINANCE AUTHORIZING THE CITY TO LEASE A PORTION OF 560 SECOND STREET TO KYZAR FOR 3RD CIRCUIT, SETTING THE TERMS AND CONDITIONS OF SAME, AND AUTHORIZING THE EXECUTION OF THE LEASE BY THE MAYOR, LEE POSEY, AFTER DUE COMPLIANCE WITH THE LAW, AND FURTHER PROVIDING FOR ADVERTISING OF THE LEASE AND AN EFFECTIVE DATE.

WHEREAS, the City of Natchitoches (City) has a leasehold interest in certain property more fully described as follows, to-wit:

That certain piece, parcel of plot of ground, together with all buildings and improvements located thereon, situated on the West side of Second Street in the City and Parish of Natchitoches, Louisiana, bearing municipal address of 560 and 562 Second Street, having a front of 45 feet along Second Street, bounded on the South by property, now or formerly, of Cunningham, and North by property of the City of Natchitoches.

(Sometimes hereinafter “Leased Premises”).

WHEREAS FURTHER, the City entered into a Lease with Option to Purchase the Leased Premises with the record fee owners of the property by instrument recorded December 21, 2015, at Mortgage Book 1042, page 85, of the records of Natchitoches Parish, Louisiana; and

WHEREAS FURTHER, the City acquired the property due to the fact that it is adjacent to the Central Fire Station and it would be required for future expansion of the Central Fire Station; and

WHEREAS FURTHER, the City is not currently using the front 440 square feet of the building bearing municipal address of 560 Second Street for any public purpose; and

WHEREAS FURTHER, the City may sublease any portion of the Leased Premises pursuant to paragraph 3.5 of the Lease with Option to Purchase; and

WHEREAS FURTHER, Kyzar for 3rd Circuit (sometimes hereinafter referred to as “Kyzar”), desires to lease a the front 440 square feet of the building bearing municipal address of 560 Second Street for a period of five months, said area being more fully shown on the attached sketch in yellow; and

WHEREAS FURTHER, the City has ordered and received an appraisal from C. E. Ed Dranguet, dated June 8, 2016, which said appraisal reflects that the market rental value for the area in question to be \$238.00 per month; and

WHEREAS FURTHER, Kyzar has offered to pay \$250.00 per month as consideration for a five month sublease; and

WHEREAS FURTHER, the City Council of the City of Natchitoches is of the opinion that the front 440 square feet of the building located at 560 Second Street is surplus property and does hereby declare and find that subject front 440 square feet of the building located at 560 Second Street, to be surplus property; and

WHEREAS FURTHER, the lease will be for a five month period, beginning July 1, 2016 and terminating November 30, 2016, with monthly rental in the amount of \$250.00, payable in monthly installments of \$250.00; and

WHEREAS FURTHER, the City desires to lease the front 440 square feet of the building located at 560 Second Street to the Kyzar, under the terms set forth above and more particularly set forth in the lease attached hereto; and.

WHEREAS FURTHER, under the provisions of Louisiana R. S. 33:4712, any property owned by the City can be leased to any person after due advertisement and compliance with the law; and

NOW THEREFORE, BE IT ORDAINED by the City Council in legal session convened as follows:

(1) That the City declares that the front 440 square feet of the building located at 560 Second Street, to be surplus property not needed for public purposes by the City.

(2) That after due proceedings and advertisement, the said City does lease the front 440 square feet of the building located at 560 Second Street to the Kyzar for a term of five months with the monthly consideration of \$250.00, all as more fully described in the attached lease.

(3) That notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that ordinance be posted in the City Hall.

(4) That any opposition to this ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after the first publication of this ordinance, and that a public hearing be held after the advertisements have been completed.

(5) That the Mayor, Lee Posey, be and he is hereby authorized, after due proceedings had, and after the legal delays have run, to execute a lease in favor of the Kyzar, leasing the front 440 square feet of the building located at 560 Second Street for the term of five months, for the monthly consideration of \$250.00.

(5) That the City Clerk be authorized to advertise this proposed lease in accordance with law, i.e., three times in fifteen days, one week apart and to report to the City Council if any opposition is made in writing prior to the time of final adoption.

THIS ORDINANCE was introduced on June 27, 2016 and published in the *Natchitoches Times* on June 30, July 7 and July 14, 2016.

The above Ordinance having been duly advertised in accordance with law and public hearing had on same, was put to a vote by the Mayor and the vote was recorded as follows:

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Ordinance passed by a vote of 5 Ayes to
0 Nays this 25th day of July, 2016.

LEE POSEY, MAYOR

DON MIMS, MAYOR PRO TEMPORE

Delivered to the Mayor on the 26th day of July, 2016 at 10:00 A.M.

The following Ordinance was introduced by Mr. Nielsen at the Natchitoches City Council meeting held on July 25, 2016 as follows:

ORDINANCE NO. 035 OF 2016

AN ORDINANCE AUTHORIZING THE CITY TO LEASE A 1.863 ACRE TRACT, BEING A PORTION OF THE ADM FACILITY LOCATED BETWEEN THE UNION PACIFIC RAILROAD AND MILL STREET TO CRB PARTNERS, L.L.C., SETTING THE TERMS AND CONDITIONS OF SAME, AND FURTHER GRANTING AN OPTION TO PURCHASE A PORTION OF THE ABOVE DESCRIBED 1.863 ACRE TRACT, FURTHER PROVIDING FOR A CHANGE IN ZONING, AND AUTHORIZING THE EXECUTION OF THE LEASE WITH OPTION TO PURCHASE BY THE MAYOR, LEE POSEY, AFTER DUE COMPLIANCE WITH THE LAW, AND FURTHER PROVIDING FOR ADVERTISING OF THE LEASE AND AN EFFECTIVE DATE.

WHEREAS, the City of Natchitoches (City) is the owner of certain property situated in the City of Natchitoches, located between the Union Pacific Railroad and Mill Street which is commonly referred to as the ADM facility; and

WHEREAS FURTHER, the City has been approached by CRB Partners, L.L.C. (Sometimes hereinafter “Brewery”) who has expressed an interest in locating a brewery within the ADM facility, and through negotiations, the City and the Brewery have identified a warehouse within the ADM facility that will meet the needs of the Brewery; and

WHEREAS FURTHER, the City has caused a survey of a portion of the ADM facility to be prepared by Robert Lynn Davis, P.L.S., dated June 17, 2016, a copy of which is attached hereto and which said survey depicts a Tract 1, being a 1.470 acre tract, and a Tract 2, being a 0.393 acre tract; and

WHEREAS FURTHER, Tract 1 and Tract 2 are more fully described as follows, to-wit:

That certain tract of land, together with all buildings and improvements situated thereon, situated in Section 77 and 78, Township 9 North, Range 7 West, Natchitoches Parish, Louisiana, being a total of 1.863 acres, more or less, and being more fully shown and depicted as Tract “1” and Tract “2” on a plat of survey by Robert Lynn Davis, dated June 17, 2016, a copy of which is recorded at Map Slide ____, of the records of Natchitoches Parish, Louisiana, and being described thereon as follows, to-wit:

From a chipped “x” in concrete marking the Point of Beginning being 1,119.62 feet North and 11.35 feet West of the intersection of the northernmost right of way of Airport Road and the westernmost right of way of Rapides Drive, thence North 82 degrees 47 minutes 11 seconds West a distance of 143.99 feet; thence North 9 degrees 4 minutes 43 seconds West a distance of 230.94 feet; thence along a curve to the left having curve data of R=822.36 feet, L=370.08 feet, CHB=North 20 degrees 26 minutes 27 seconds West, and CHD=366.96; thence North 21 degrees 8 minutes 6 seconds East a distance of 50.80 feet; thence along a curve to the left having curve data of R=326.61 feet, L=56.90 feet, CHB=South 69 degrees 14 minutes 9 seconds East, and CHD=56.82 feet; thence South 75

degrees 1 minutes 54 seconds East a distance of 117.76 feet; thence South 7 degrees 1 minute 59 seconds West a distance of 283.32 feet; thence South 65 degrees 34 minutes 3 seconds East a distance of 37.77 feet; thence South 81 degrees 54 minutes 44 seconds East a distance of 121.94 feet; thence South 29 degrees 9 minutes 24 seconds East a distance of 59.48 feet; thence South 7 degrees 00 minutes 44 seconds West a distance of 222.25 feet to the Point of Beginning, all as more fully shown on the plat by Davis.

(Sometimes hereinafter “Leased Premises”).

WHEREAS FURTHER, the City currently has its Public Works Department located at the ADM facility, but the warehouse located on Tract 2 and the area encompassing Tract 1 are not currently in use by the public Works Department and neither Tract 1 nor Tract 2 are currently being used for any public purpose; and

WHEREAS FURTHER, the Brewery has indicated that it anticipates that it will have 8 to 10 employees; and

WHEREAS FURTHER, the Brewery would generate additional revenue to the City through sales and property taxes and would further contribute to the marketing of the City through the use of the name, Cane River, that is associated with the City, and the City Council is of the opinion that the location of the Brewery in the City will have a positive impact on economic development and tourism within the City; and

WHEREAS FURTHER, the City and the Brewery have negotiated a lease of the Leased Premises for a ten year term with a rental rate of \$1,583.33 per month, with such other terms are set forth in the Lease and Option to Purchase, a copy of which is attached hereto; and

WHEREAS FURTHER, the City and the Brewery have further negotiated an Option to Purchase Tract 2 as shown on the plat by Davis, for the sum and price of \$250,000.00, with a credit for any lease payments made under the terms of the Lease, with such other terms are set forth in the Lease and Option to Purchase, a copy of which is attached hereto; and

WHEREAS FURTHER, the City has ordered and received an appraisal from Gregg Willbanks, La. State Certified General Real Estate Appraiser, dated July 7, 2016, which said appraisal reflects that the market rental value for the Leased Premises to be \$775.00 per month, and further reflects a market value of the property subject to the option to purchase to be \$60,000.00; and

WHEREAS FURTHER, the City Council of the City of Natchitoches is of the opinion that the Leased Premises is surplus property, and does hereby declare and find that subject Leased Premises to be surplus property; and

WHEREAS FURTHER, the City Council of the City of Natchitoches has reviewed the attached Lease and Option to Purchase and approves of same and desires to enter into the Lease and Option to Purchase, under the terms set forth above and more particularly set forth therein; and.

WHEREAS FURTHER, under the provisions of Louisiana R. S. 33:4712, any property owned by the City can be leased to any person after due advertisement and compliance with the law; and

WHEREAS FURTHER, the City has further considered the current zoning of the Leased Premises, and is of the opinion that a zoning of B-3, special exception for operation of a brewery, is more appropriate for the anticipated use of the property, and further allows for additional protection to resident property owners in the area, and therefore the Council desires to

re-zone the Leased Premises from its current zoning of B-3 to B-3, special exception, to allow for the operation of a brewery; and

NOW THEREFORE, BE IT ORDAINED by the City Council in legal session convened as follows:

(1) That the City declares the above described Leased Premises to be surplus property not needed for public purposes by the City.

(2) That after due proceedings and advertisement, the said City does lease the Leased Premises to the CRB Partners, L.L.C., for a term of ten years with a monthly consideration of \$1,583.33, with an option to purchase a portion of the Leased Premises shown as Tract 2 on the June 17, 2016 survey by Davis, all as more fully described in the attached Lease and Option to Purchase.

(3) That notice of this proposed ordinance be published three (3) times in fifteen (15) days, one (1) week apart, in the Natchitoches Times, the legal journal for the City, and that ordinance be posted in the City Hall, and the City Clerk is authorized to report to the City Council if any opposition is made in writing prior to the time of final adoption.

(4) That any opposition to this ordinance shall be made in writing, filed with the Clerk for the City of Natchitoches within fifteen (15) days after the first publication of this ordinance, and that a public hearing be held after the advertisements have been completed.

(5) That the Mayor, Lee Posey, be and he is hereby authorized, after due proceedings had, and after the legal delays have run, to execute the Lease and Option to Purchase in favor of CRB Partners, L.L.C., a copy of which is attached hereto.

(6) That the zoning of the above described Leased Premises be, and it is changed from its current zoning of B-3 to a zoning classification of B-3, Special Exception, to allow for the location and operation of a brewery.

THIS ORDINANCE was introduced on this the 25th day of July, 2016.

Mrs. Marion Salter approached the podium to address the Council on behalf of the residents of South Williams and the surrounding residents this will affect. Mrs. Salter read aloud a letter written to the Council that addressed the concerns of the residents as well as a petition asking the Council to adopt 6 recommendations outlined in the letter as it regards the old Archer Daniel Midland Site. The six recommendations are as follows: the site should be included in the Natchitoches Historic District, a zoning classification of B-3 with special exception rather than I-2, address the noise pollution in a professional and methodical manner, a supervised and controlled docking facility, green space, and address light pollution as to avoid intrusion on residential neighbors. In offering these solutions, the letter stated the hope of someone from the neighborhood would be asked to participate in the formulation of a master plan. The neighborhood is hopeful that each member of the Council has taken into consideration the future development of the property beyond that of the beer brewery so Natchitoches remains a desirable place to visit and live while preserving and protecting the quality of life for South Williams residents.

Ms. Morrow stated this not only affects those residents of South Williams, but also many of the residents on Airport Road which is in her district. She stated her approval of the letter from the South Williams residents and is in agreement with their recommendations.

Mayor Posey stated he would be hearing from the acoustical engineer in the coming days and a meeting would be set up within the next two weeks to discuss options for the property. He encouraged both groups, the beer brewery and residents of South Williams, send a representative to this meeting.

The following Resolution was introduced by Ms. Morrow and Seconded by Mr. Mims as follows, to –wit:

RESOLUTION NO. 060 OF 2016

A RESOLUTION SUPPORTING THE NATIONAL PARK SYSTEM.

WHEREAS, America’s National Park System is a living testament to our citizens’ valor, our nation’s hardships, our victories, and our traditions as Americans, and has been called "America’s Best Idea;" and

WHEREAS, the National Park System preserves the diversity, culture, and heritage of all Americans, and serves as a living classroom for future generations; and

WHEREAS, in 2016, the National Park Service is celebrating its centennial and currently manages 410 nationally significant sites and an invaluable collection of more than 75,000 natural and cultural assets that span 84 million acres across all 50 states, the District of Columbia, and several U.S. territories and insular areas; and

WHEREAS, the National Park Service’s mission is to “to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations;" and

WHEREAS, in 2015, the National Park System had more than 305 million visits; and

WHEREAS, in 2014, National Park Service estimates indicate that park visitors spent more than \$15 billion at the sites and in the states and local communities adjacent to national parks; and

WHEREAS, the National Park Service has the obligation to preserve our nation’s history; promote access to national parks for all citizens; stimulate revenue to sustain itself and nearby communities; educate the public about America’s natural, cultural and historical resources, and provide safe facilities and environs to enjoy these resources; and

WHEREAS, in 2016, the National Park Service estimated a deferred maintenance backlog of nearly \$12 billion, which includes repairs to aging historical structures, trails, sewers, drainage, thousands of miles of roads, bridges, tunnels, and other vital infrastructure, including an estimated \$15 million in Louisiana; and

WHEREAS, it is the responsibility of Congress to maintain America’s national parks to ensure our natural places and our history is preserved and documented for future generations, and for the adjacent communities that rely on the direct and indirect economic benefits generated by visits to national park sites; and

WHEREAS, here in Natchitoches Parish, units of the National Park Service include Cane River Creole National Historical Park, Cane River National Heritage Area, el Camino Real de los Tejas National Historical Trail and the National Center for Preservation Technology and Training, and

WHEREAS, affiliated historic sites include the Natchitoches National Historic Landmark District, Los Adaes National Historic Landmark, Fort Jessup National Historic Landmark, Oakland Plantation National Historic Landmark, Magnolia Plantation National Historic Landmark, Melrose Plantation National Historic Landmark, and St. Augustine Catholic Church, the only federally- recognized Traditional Cultural Property in the State of Louisiana, and

WHEREAS, more than 510,000 people visit National Park Service sites in Louisiana and generate an estimated \$28 million in economic benefit to our state.

NOW, THEREFORE, BE IT RESOLVED that Mayor Lee Posey and the Natchitoches City Council strongly encourage Congress to create a reliable, predictable stream of resources to address deferred maintenance needs in America’s National Park System.

This Resolution was then presented for a vote, and the vote was recorded as follows:

AYES:	Batiste, Nielsen, Mims, Harrington, Morrow
NAYS:	None
ABSENT:	None
ABSTAIN:	None

THEREUPON, Mayor Lee Posey declared the Resolution passed by a vote of 5 Ayes to 0 Nays on this 25th day of July, 2016.

LEE POSEY, MAYOR

Ms. Cynthia Sutton with the Cane River National Heritage Area thanked the Mayor Posey and the Council for recognizing and supporting the National Parks System. She stated without the partnership with the City, the parks system would not be able to do the projects they have done.

Mayor Posey thanked Ms. Sutton for all the help and support she has offered the City of Natchitoches. He stated she has a wealth of knowledge that has help the City moved forward with several projects in the City.

The next scheduled City Council meeting will be **August 5, 2016**.

With no further discussion, Mayor Posey made a motion for adjournment and all were in favor.

The meeting was adjourned at 5:50 p.m.

 /s/ Lee Posey
LEE POSEY, MAYOR

 /s/Don Mims
DON MIMS, MAYOR PRO-TEMPORE